

REMARKS

An excess claim fee payment letter is submitted herewith for two (2) excess claims.

Claims 1-14, 16, 17, and 19-24 are all the claims presently pending in the application. Claims 15 and 18 are canceled without prejudice or disclaimer. Independent claims 1, 14, 16, and 17 are amended to incorporate some of the features of dependent claim 2. Claims 1-14, 16, and 17 have been amended to make editorial changes in conformance with U.S. patent practice and to correspond to the incorporation of claim 2 into the independent claims. Claims 19-24 have been added to provide more varied protection for the invention.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1-18 stand rejected on prior art grounds. Claims 1, 3-5, 7 and 11-13 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Freedman (U.S. Patent No. 4,839,829). Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Freedman in view of Hartman, et al. (U.S. Patent No. 5,960,411). Claims 6 and 14-18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Freedman. Claims 8-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Freedman in view of Greulich, et al. (U.S. Patent No. 6,018,338).

These rejections are respectfully traversed in the following discussion.

I. THE CLAIMED INVENTION

The claimed invention is directed to an image ordering system and a method of an image ordering system.

An illustrative, non-limiting embodiment of an image ordering system as defined by independent claim 1, includes a center server, a first client computer for an orderer, and a plurality of second client computers for a laboratory that are capable of communicating data with one another. The first client computer includes an input unit for inputting data that specifies an image to be printed and a first transmitting unit for transmitting, to the center server, the image specifying data that is input from the input unit and data specifying the orderer.

The center server includes a memory for storing correspondence data in advance, the correspondence data representing which of the plurality of second client computers is affiliated with the first client computer of the orderer, a first receiving unit for receiving the image specifying data and the orderer specifying data transmitted from the first transmitting unit of the first client computer, a determination unit for determining, on the basis of the correspondence data, which of the plurality of second client computers is affiliated with the orderer specified by the orderer data received by the first receiving unit, and a second transmitting unit for transmitting the image specifying data and the orderer specifying data, which has been received by the first receiving unit, to the second client computer that has been determined by the determination unit in association with each other. At least one of the plurality of second client computers includes a second receiving unit for receiving the image specifying data and the orderer specifying data transmitted from the second transmitting unit of the center server and a first alerting unit for giving notice of information regarding an image specified by the image specifying data and of an orderer represented by the orderer specifying data, which items of data have been received by the second receiving unit.

Independent claims 14, 16, and 17 recite somewhat similar features as independent claim 1.

The claimed invention, as defined by independent claims 1, 14, 16, and 17 is capable of determining, on the basis of correspondence data, which of the plurality of

second client computers is affiliated with the orderer specified by the orderer data.

Moreover, the claimed invention can transmit the image specifying data and the orderer specifying data to the affiliated second client computer. Thus, when there are a plurality of second client computers, the correspondence data can be transmitted accurately from the center server to the affiliated second client computer.

Particularly, in the claimed invention, the affiliated second client computer is determined by the corresponding data transmitted from the first client computer.

II. THE PRIOR ART REJECTIONS

Claims 1, 3-5, 7, and 11-13 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Freedman. However, since claim 1 is amended above to incorporate some of the features of claim 2, Applicant submits that the rejection based on Freedman alone is moot.

Accordingly, Applicant's remarks with respect to these claims are directed to the rejection under 35 U.S.C. § 103(a) based on the combination of Freedman and Hartman (which forms the basis of the rejection of the subject matter of claim 2).

Applicant submits that there are elements of the claimed invention which would not have been disclosed or suggested by any combination of Freedman and Hartman, and therefore, respectfully traverses this rejection.

Independent claim 1 recites, *inter alia*,

a memory for storing correspondence data in advance, the correspondence data representing which of the plurality of second client computers is affiliated with the first client computer of the orderer; ...

a determination unit for determining, on the basis of the correspondence data, which of the plurality of second client computers is affiliated with the orderer specified by the orderer data received by said first receiving unit; and

a second transmitting unit for transmitting the image specifying data and the orderer specifying data, which has been received by said first receiving unit, to said second client computer that has been determined by said determination unit

in association with each other (emphasis added).

In other words, the claimed invention provides a center server that includes a determination unit for determining, on the basis of the correspondence data, which of the plurality of second client computers is affiliated with the orderer specified by the orderer data received by the first receiving unit.

Moreover, the center server includes a second transmitting unit for transmitting the image specifying data and the orderer specifying data, which has been received by the first receiving unit, to the second client computer that has been determined by the determination unit in association with each other.

Thus, in the claimed invention, the correspondence data can be transmitted from the center server to the second client computer accurately, even when there may be a plurality of second client computers.

Particularly, in the claimed invention, the second client computer is determined by the corresponding data transmitted from the first client computer.

In comparison, Applicant submits that neither Freedman nor Hartman, either alone or in combination, discloses or suggests all of the claimed features.

The Office Action acknowledges that Freedman does not specifically store order data for use in subsequent orders (see Office Action at page 4, numbered paragraph 5, lines 8-9).

However, the Office Action asserts that Hartman makes up for the deficiencies of Freedman by disclosing a network ordering system including a server with memory for retaining client order preferences for use in subsequent orders and a determining unit fulfilling orders based on the preference data, as set forth in the Abstract of Hartman (see Office Action at page 4, numbered paragraph 5, lines 9-12). The Office Action alleges that it would have been obvious to combine Freedman and Hartman in order to make the ordering process more efficient.

Applicant respectfully disagrees.

Hartman discloses that:

The server system receives purchaser information including identification of the purchaser, payment information, and shipment information from the client system. The server system then assigns a client identifier to the client system and associates the assigned client identifier with the received purchaser information. The server system sends to the client system the assigned client identifier and an HTML document identifying the item and including an order button (e.g. see Hartman at Abstract).

In other words, in Hartman, the client system is determined by the data transmitted from the client system. That is, in Hartman, both client systems are the same.

In comparison, in the claimed invention, the second client computer is determined by the corresponding data transmitted from the first client computer.

Thus, Hartman, either alone or in combination with Freedman, clearly is different than the claimed invention.

Accordingly, since Hartman does not make up for the deficiencies of Freedman, Applicant submits that neither Freedman nor Hartman, either alone or in combination, would have disclosed or suggested all of the features of the claimed invention.

With respect to the rejection of claims 6 and 14-18 under 35 U.S.C. § 103(a) as being unpatentable over Freedman, Applicant respectfully traverses this rejection for reasons similar to those set forth above.

Applicant notes that claims 15 and 18 are canceled without prejudice or disclaimer.

On the other hand, claims 14, 16, and 17 similarly are amended to incorporate some of the features of claim 2.

As mentioned above, claim 2 is not rejected over Freedman alone, and thus, Applicant submits that claims 6, 14, 16, and 17 are patentable over Freedman for similar reasons as those set forth above.

With respect to the rejection of claims 8-10 under 35 U.S.C. § 103(a) as being unpatentable over Freedman in view of Greulich, Applicant respectfully submits that Greulich also does not make up for the deficiencies of Freedman.

Indeed, Greulich is not even relied upon in rejecting claim 2, which is incorporated into independent claim 1 (from which claims 8-10 depend).

Thus, Applicant respectfully submits that claims 8-10 also are allowable by virtue of their dependency from independent claim 1, as well as for the additional features recited therein.

For the foregoing reasons, Applicant submits that there are elements of the claimed invention that are neither disclosed nor suggested by Freedman, Hartman, and Greulich, either alone or in combination. Accordingly, Applicant respectfully requests that the Examiner withdraw these rejections and permit these claims to pass to allowance.

III. FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicant submits that claims 1-14, 16, 17, and 19-24, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.


Serial No. 09/805,978
Docket No. 5-027US-FF

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The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: APRIL 23, 2004



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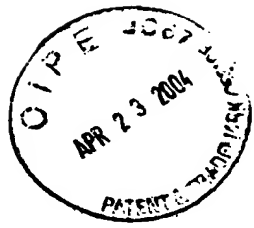
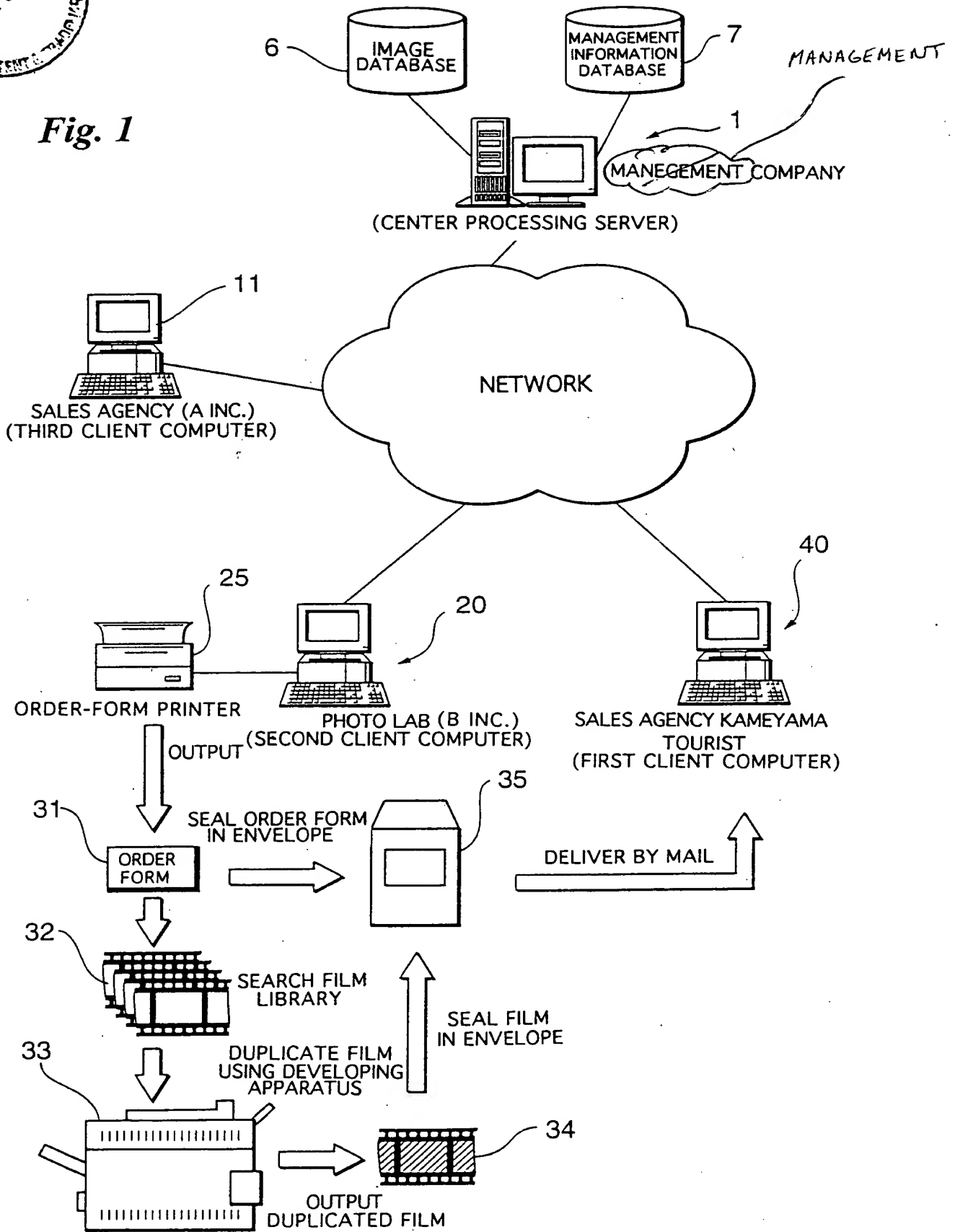
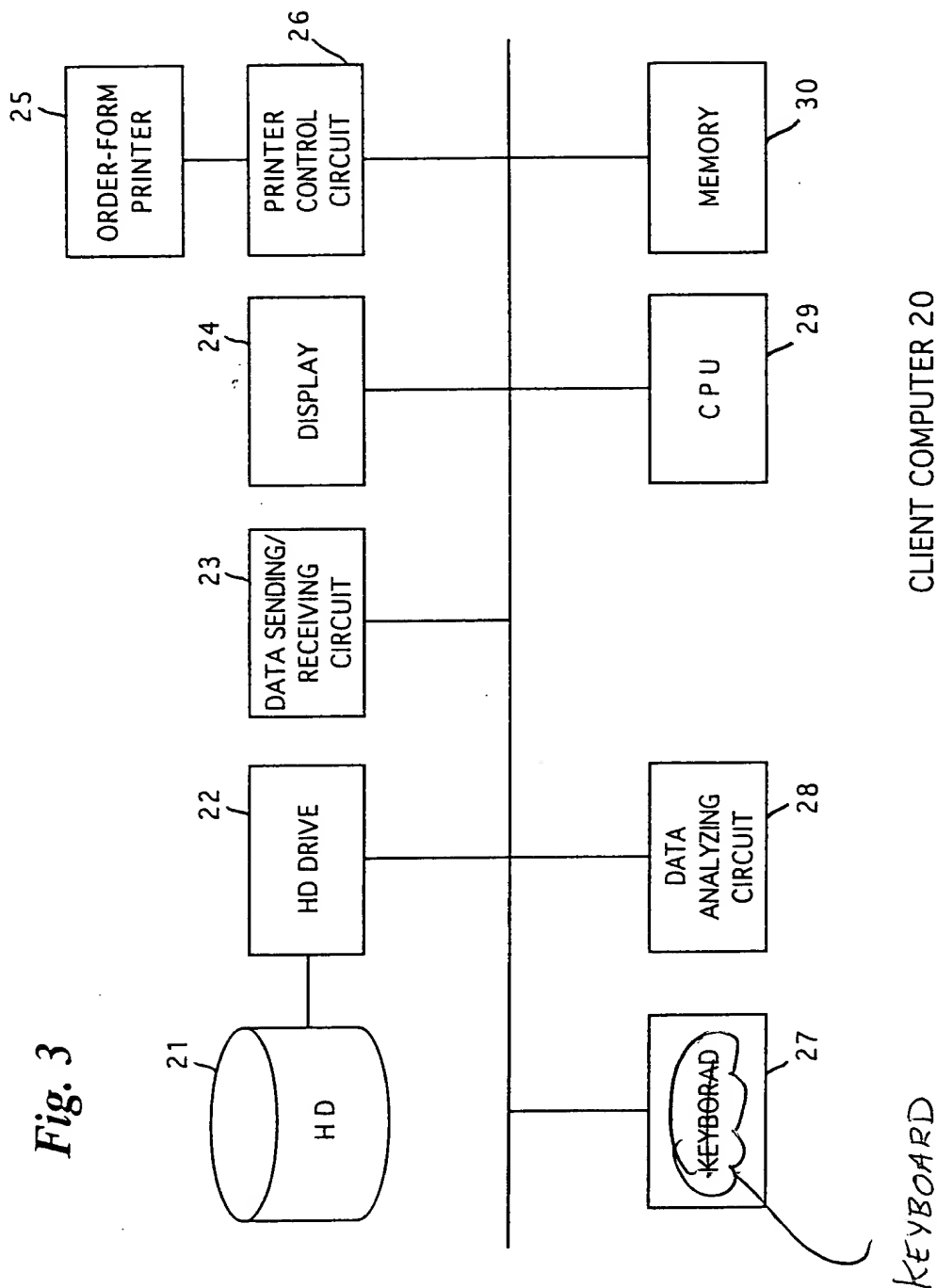
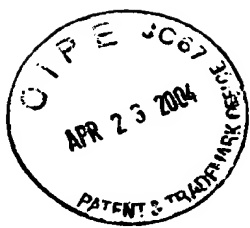


Fig. 1





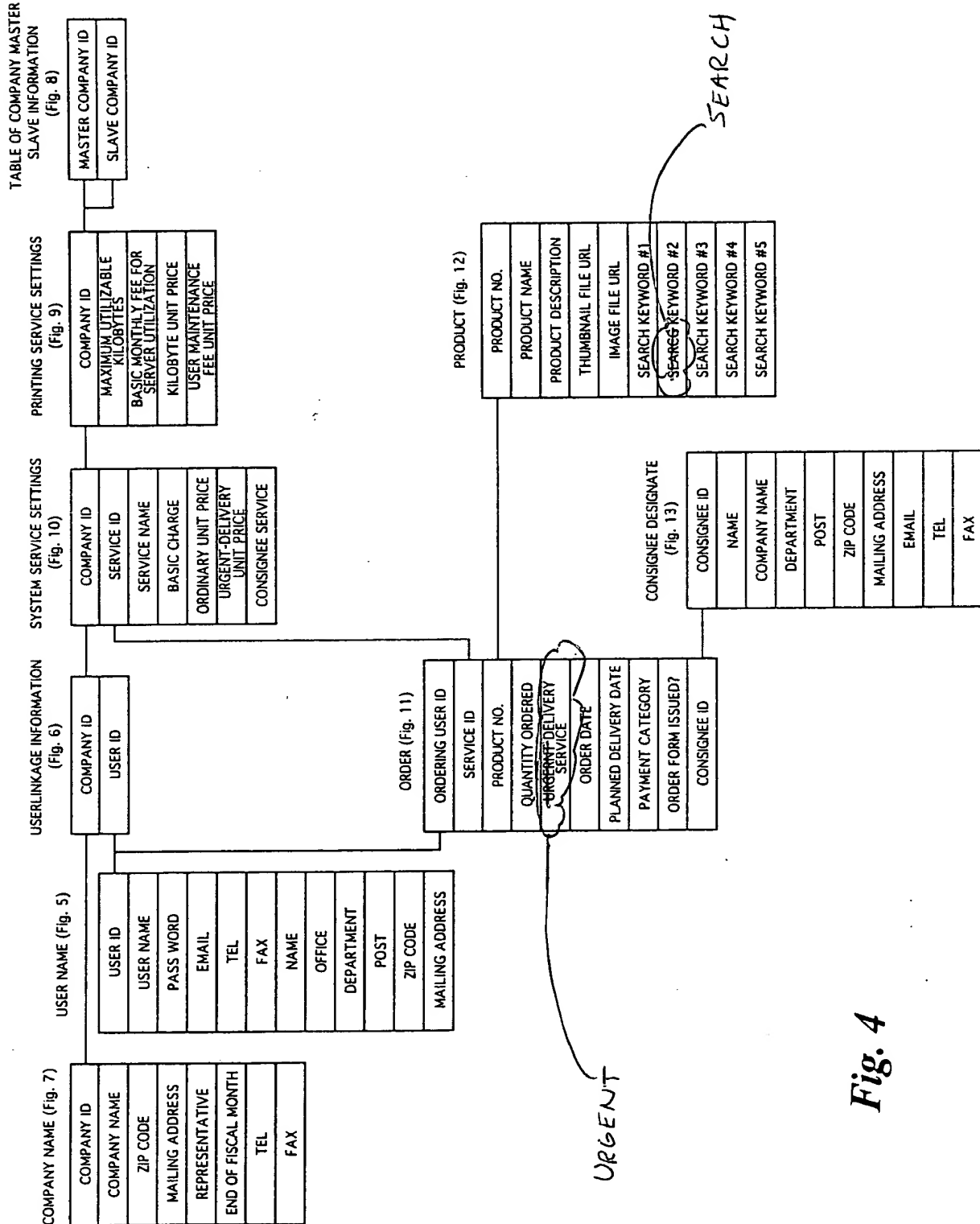
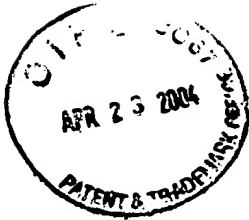


Fig. 4

*Fig. 21*

W5

ADD SERVICE

SERVICE NAME

BASIC CHARGE YEN

ORDINARY UNIT PRICE YEN


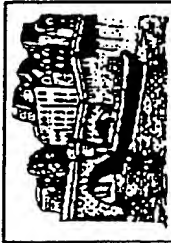

URGENT DELIVERY UNIT PRICE YEN

URGENT



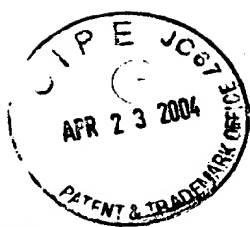
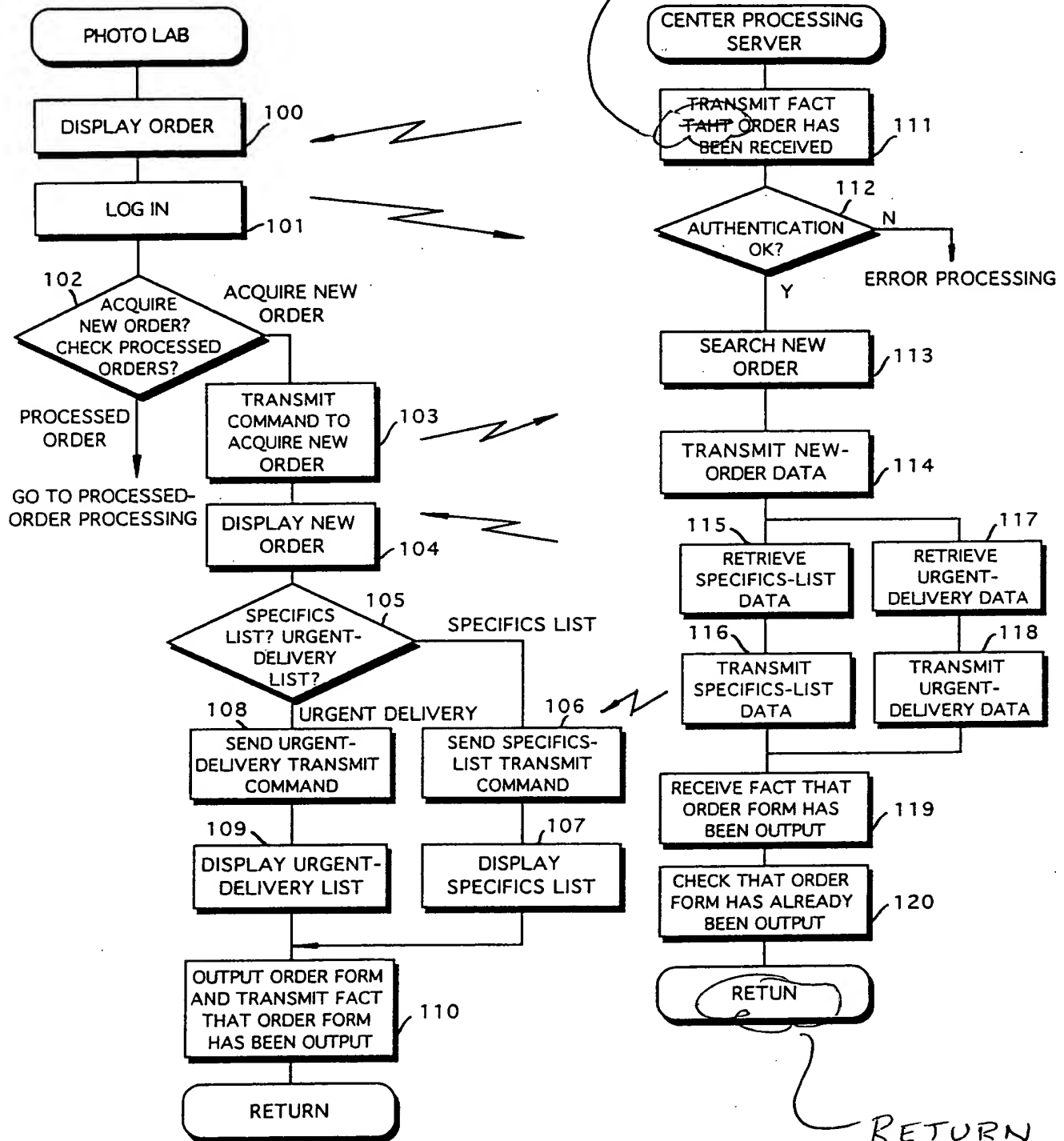
Fig. 25

W8

<input checked="" type="checkbox"/> A41	 A42	PRODUCT NO. 00001-1	SERVICE A43	SLIDE	A46
		PRODUCT NAME HAMBURG	NUMBER OF PRINTS	2 A44	
		PRODUCT DESCRIPTION YOSHI	DELIVERY A45	ORDINARY	A47
<input type="checkbox"/> A41	 A42	PRODUCT NO. 00023-3	SERVICE A43	Superia	A46
		PRODUCT NAME SCOTLAND	NUMBER OF PRINTS		A44
		PRODUCT DESCRIPTION KAI	DELIVERY A45		A47
<input checked="" type="checkbox"/> A41	 A42	PRODUCT NO. 00108-4	SERVICE A43	L PRINT	A46
		PRODUCT NAME MEDITERRANEAN SEA	NUMBER OF PRINTS	3 A44	
		PRODUCT DESCRIPTION GROSS	DELIVERY A45	URGENT	A47
		ESTIMATE A48	RETURN A49	DATA DOWNLOAD A50	

DOWNLOAD

MEDITERRANEAN

**Fig. 28****OUTPUT ORDER FORM***THAT*

**Fig. 33**

W15

CHECK PROCESSED ORDERS

LIST OF MONTHLY ORDERS

YEAR MONTH

DATE ORDER RECEIVED

1/15/2000

 ~

1/16/2000

DELIVERY

~

COMPANY NAME

KAMEYAMA TOURIST INC.

 ▾

REQUESTER

KAMEKICHI KAMEYAMA

CONSIGNEE

SERVICE

SLIDE

 ▾

URGENT DELIVERY SERVICE

☒ YES ☐ NO

PRODUCT NO.

PRODUCT NAME

PRODUCT DESCRIPTION

A68

A69 SEARCH

RETRUN



A70

RETURN



Fig. 34

W16

		A72		CHECK SEARCH CONDITION
DATE OF ORDER-FORM OUTPUT; 1/15/2000; SATURDAY; 13:22:12				
	PRODUCT NO.	02113-8	SERVICE	L PRINT
	PRODUCT NAME	LINE RIVER	UNIT PRICE	600 YEN
	PRODUCT DESCRIPTION	GROSS	NUMBER OF PRINTS	3
			SUBTOTAL	2,100 YEN
DATE OF ORDER-FORM OUTPUT; 1/15/2000; SATURDAY; 13:24:42				
	PRODUCT NO.	00108-4	SERVICE	L PRINT
	PRODUCT NAME	STATUE OF LIBERTY	UNIT PRICE	600 YEN
	PRODUCT DESCRIPTION	MICHEL	NUMBER OF PRINTS	1
			SUBTOTAL	900 YEN
		A73		OUTPUT ORDER FORM AGAIN

A71

LIBERTY

SATURDAY

SATURDAY

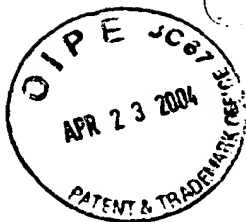


Fig. 43

W22

SPECIFICS

A112	KAMEYAMA / PLATINUM / JT		
	BILLING SPECIFICS FOR KAMEYAMA TOURIST INC.		
A100	BASIC MONTHLY FEE FOR SYSTEM UTILIZATION:		30,000 YEN
A114	TOTAL COST OF MATERIALS CREATION:		45,000 YEN
A115	ORDINARY DELIVERY; L PRINT (80 PRINTS / 20 ORDERS)	12,000 YEN	△
	URGENT DELIVERY; L PRINT (20 PRINTS / 10 ORDERS)	6,000 YEN	
	ORDINARY DELIVERY; SLIDE (30 PRINTS / 20 ORDERS)	18,000 YEN	
	ORDINARY DELIVERY; SLIDE (10 PRINTS / 10 ORDERS)	9,000 YEN	▽
A116	<div>DOWNLOAD STATEMENT</div>		
A101	NUMBER OF SERVER KILOBYTES UTILIZED:		8,023 KB
	KILOBYTE UNIT PRICE:		2 YEN
	TOTAL SERVER UTILIZATION FEE:		16,046 YEN
A102	TOTAL NUMBER OF USERS:		2
	USER MAINTENANCE-FEE UNIT PRICE:		5,000 YEN
	TOTAL USER MAINTENANCE FEE:		10,000 YEN
A103	TOTAL AMOUNT DUE:		83,046 YEN
	<div>LOG OFF</div>	<div>OK</div>	<div>PRINT</div>
	A104	A105	A106